

UNITED STATES DISTRICT COURT

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for
Eastern District of Washington

Oct 15, 2018

SEAN F. MCVOY, CLERK

U.S.A. vs.

King, Samuel Robert

Docket No.

0980 2:18CR00065-SAB-1

Petition for Action on Conditions of Pretrial Release

COMES NOW Linda J. Leavitt, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Samuel Robert King, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge John T. Rodgers sitting in the court at Spokane, Washington, on the 18th day of May 2018 under the following conditions:

Standard Condition #1: Defendant shall not commit any offense in violation of federal, state or local law. Defendant shall advise the supervising Pretrial Services Officer and defense counsel within one business day of any charge, arrest, or contact with law enforcement.

Standard Condition #18: Refrain from any use of alcohol.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

Violation #1: The defendant is alleged to be in violation of his conditions of pretrial supervision in the Eastern District of Washington by consuming alcohol on October 5, 2018.

Violation #2: The defendant is alleged to be in violation of his conditions of pretrial supervision in the Eastern District of Washington by committing driving under the influence and driving while license suspended (case #18-2781272) in the District of Oregon.

Conditions of release were reviewed with Mr. King by the District of Oregon on May 31, 2018. He acknowledged an understanding of his conditions which included condition(s) 1 and 18.

On October 7, 2018, this officer received an arrest report from Beaverton, Oregon Police Department via email. The report reflects the defendant was arrested by Beaverton Police Department on October 5, 2018, at 21:24 hours, for driving while intoxicated and driving on a suspended license. Per the police report, the defendant was contacted by officers on a traffic stop. When officers ran the defendant's name, they learned he was driving on a suspended license. Officers report that during their contact with the defendant, they could see he had bloodshot/watery eyes, a strong order of alcoholic beverage coming from his breath, and he admitted to having four beers at Brick Yard Tavern. Per officers, the defendant was being "very dramatic" and was extremely worried about his brother's vehicle being towed, even after officers advised the defendant multiple times it would not be. Per the police report, at this time officers had probable cause to arrest the defendant for driving under the influence (DUI). When the defendant was transported to the Beaverton Police Department, he was placed in a temporary holding facility with an Intoxilyzer 8000 (Breathalyzer testing device). The officer asked the defendant if he would be willing to perform Standardized Field Sobriety Tests, the defendant stated he would not. Per the report, the defendant eventually submitted two required breath samples. The Intoxilyzer 8000 gave a final test result indicating the defendant's Blood Alcohol Content (BAC) was .17%.

On October 9, 2018, United States probation officer (USPO) Song contacted the defendant regarding the above arrest and new charges. Per USPO Song, the defendant reported he was consuming alcohol at home after being upset about being served divorce paperwork from his wife in California. The defendant denied going to a bar to consume alcohol.

PRAYING THAT THE COURT WILL ORDER A SUMMONS AT THIS TIME

Re: King, Samuel Robert
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I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: 10/10/2018

by s/Linda J. Leavitt

Linda J. Leavitt

U.S. Pretrial Services Officer

THE COURT ORDERS

- [] No Action
- [] The Issuance of a Warrant
- [X] The Issuance of a Summons
- [] The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- [] Defendant to appear before the Judge assigned to the case.
- [X] Defendant to appear before the Magistrate Judge.
- [] Other



Signature of Judicial Officer

October 15, 2018

Date